UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 August 2010</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-3,6,10,22 and 23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-3,6,10,22 and 23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on **06/25/2010 and 08/04/10** has been entered.

2.   The following is **a Non-Final action** on merits in response to the communication received on **8/04/2010**.

Acknowledgement

3.   Claim **status:**

   ❖ Claims **cancelled : 4-5, 7-9** and **11-21**

   ❖ **Amended** claims: **1-2, 22-23**

   ❖ **Pending** claims: **1- 3, 6, 10, 22 and 23**

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-3, 6, 10, 22** and **23** are rejected under 35 U.S.C. 103 (a) as being unpatentable over *Horan* et al (2003/0225663) in view of *DeWolf* et al (2002/0032626) , *Bergmann* et al (2002/0143682), *Koppel man* et al (6,662,164) and **official Notice.**

As per claim 1 [amended], *Horan* discloses a method of <u>automated real-time computing of</u> cost basis of <u>at least one</u> financial asset (**para 0100**, lines 11-13) comprising:

automatically calculating, by the computer, (**para 0101-0102**) an adjusted cost basis of the asset based upon the reallocation code, the reallocation reasons, the asset type and the tax treatment categorization (**para 0077** and **0099-0100**; via workflow system **208** and accounting and management system **806** respectively);

[acquiring, by a computer <u>for computing said cost basis of said at least one asset</u> and from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is <u>extracted in real-time</u>, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset];

categorizing at least one asset into at least one of the reallocation categories based on the extracted reallocation data;

transforming at least one reallocation category into at least one reallocation reason code comprises codified information relating to the reason for the change in ownership of the asset,

[re-catagorising, by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories],

[and wherein] the tax treatment re-categorization is based upon the reallocation reason code, the reallocation reasons, and the asset type and is associated with a tax treatment of the reallocation].;

computing automatically a real time adjusted cost basis of the asset based upon the reallocation reason code, the reallocation reasons, the asset type, and the tax treatment re- categorization;

storing, by the computer the tax treatment categorization and the adjusted cost basis in a management system to enable tax-related calculations based upon the tax treatment categorization (**Fig. 7**, Data warehouse **312**).

extracting, by the computer, cost basis data and tax lot data from the plurality of product systems to enable automated real-time reconciliation of cost basis data and the adjusted cost basis; identifying at least a portion of the tax lot data that was affected by

the reallocation (**para 0099**, lines 1-3; via record system **806** .. tax-lot accounting …tax withholding and reclaim processing);

reconciling, <u>in real-time</u> by the computer, the cost basis data and the adjusted cost basis of the asset to the plurality of product systems (**para 010**, lines 1-12; via open reconciliation system **828 …**   the workflow system **810** to resolve the variance); and

<u>generating</u> a report, by the computer, relating to the adjusted cost basis of the asset based on at least one of**:** the reallocation code, the tax treatment <u>re</u>-categorization and the adjusted cost basis of the asset (**para 0102**, lines 1-12; via an automated workflow system **810** … a management reporting system **838**)

Horan did not explicitly disclose the step of acquiring, by a computer <u>for computing said cost basis of said at least one asset</u> and from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is <u>extracted in real-time</u>, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset, <u>categorizing at least one asset into at least one of the reallocation categories</u>

based on the extracted reallocation data; transforming at least one reallocation category into at least one reallocation reason code comprises codified information relating to the reason for the change in ownership of the asset

However, *DeWolf* discloses the step of acquiring, by a computer for computing said cost basis of said at least one asset and from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is extracted in real-time, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset, categorizing at least one asset into at least one of the reallocation categories based on the extracted reallocation data; transforming at least one reallocation category into at least one reallocation reason code comprises codified information relating to the reason for the change in ownership of the asset (**Abstract** - life cycle of the asset and categorizing the information into multiple attribute and **para 0090**, line 5; via ownership disputed [changed] as **in divorce** [implied marriage] and **para 0035** , line 5-8; via the producer **110** [Ford] creates the asset such as **SUV**- a financial asset).

Therefore, it would have been obvious to an ordinary skill in the art at the time of invention was made to modify the disclosure and features mentioned by *Horan* and to include the disclosure of *DeWolf* to facilitate the legal system to adjust and reallocate the ownership of an asset disputed by divorce implied marriage.

Horan did not explicitly disclose the step of re-catagorising, by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories.

However, *Bergmann* being in the same field of invention discloses the step of re-categorizing, by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories.(**para 0045,** line 27; via asset classes, creating accounts and Boxes **8A**, **8B**, **8C** and **9** categorize assets based on ownership and related tax treatment after change of ownership for tax treatment and to calculate after-tax returns)

Therefore, it was obvious to an ordinary skill in the art at the time of invention was made to modify the disclosure of *Horan* and to include the feature of *Bergman* to facilitate adjusting the constraint limits on asset classes.

Horan did not explicitly disclose [and wherein] the tax treatment re-categorization is based upon the reallocation reason code, the reallocation reasons, and the asset type and is associated with a tax treatment of the reallocation.

However, it is well known in the art at the time of invention was made that the tax treatment categorization is based upon the reallocation code, the reallocation reasons and the asset type and is associated with a tax treatment of the reallocation. (For example, when any asset's ownership is changed to a new owner, **tax treatment** of the said asset will be according to new owner as per Internal Revenue Services [**IRS, US Gov.**]).

Therefore, tax treatment of an asset related to change of ownership (or categorization) is well known in the art.

Horan did not explicitly disclose reallocation code and value.

However, *Koppelman* discloses reallocation code and value (**Abstract** and **claims** 1, 14 and 21-23; via the code for obtaining one or more allocation-for processing an allocation rule that is based on one or more properties of a business[implied value and ownership]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of invention to modify the disclosures mentioned by *Horan* to include the features as taught by *Koppelman* to facilitate to determine the commissions to pay out to a set of recipients based on one or more transactions.

As per claim 2 [amended], *Horan* discloses the method of codifying, by the computer, the tax treatment re-categorization of the Reallocation of the ownership of the asset prior to automatically calculating the cost basis change of the asset (**para 009-100;** via the accounting and record system **806** through a multi-tier client/server technology inherently codifies the system).

As per claim 3, *Horan* discloses the method of claim 2, wherein the product system is an account (**Fig.9**; via Open Platform-Products and account system).

Claims 4-5 (cancelled).

As per claim 6, *Horan* discloses the method of claim 3 further comprising:

providing a portfolio having a plurality of assets distributed in one or a plurality of product systems (**para 0050** and **0052**; via reallocate a portfolio).

Claims 7-9 (cancelled).

As per claim 10, *Horan* discloses the method further comprising utilizing the tax lot data to more accurately determines cost basis change relating to the reallocation of the asset (**para 0100**; via tax lot basis).

Claims 11-21 (cancelled)

As per claim 22 [currently amended], *Horan* discloses a host system comprising:

a tangible, non-transitory memory communication with a processor:

the tangible, non-transitory memory having instructions stored thereon for calculating automated real-time computing of cost basis of an at least one asset that, in response to execution by the process, cause the processor to perform operation (**para 0101-0102** and **para 0077** and **0099-0100**; via workflow system **208** and accounting and management system **806** respectively); comprising:(

[extract, from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is

extracted in real-time, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset;

categorize at least one asset into at least one of the reallocation categories based on the extracted reallocation data;

transform at least one reallocation category into at least one reallocation reason code,]

[re-categorize, by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories],

[and wherein] the tax treatment re-categorization is based upon the reallocation reason code, the reallocation reasons, and the asset type and is associated with a tax treatment of the reallocation].;

compute automatically a real time adjusted cost basis of the asset based upon the reallocation reason code, the reallocation reasons, the asset type, and the tax treatment re- categorization;

store the tax treatment categorization and the adjusted cost basis in a management system to enable tax-related calculations based upon the tax treatment categorization (**Fig. 7**, Data warehouse **312**).

extract cost basis data and tax lot data from the plurality of product systems to enable automated real-time reconciliation of cost basis data and the adjusted cost basis; identify at least a portion of the tax lot data that was affected by the reallocation (**para 0099**, lines 1-3; via record system **806** .. tax-lot accounting …tax withholding and reclaim processing);

reconciling, in real-time by the computer, the cost basis data and the adjusted cost basis of the asset to the plurality of product systems (**para 010**, lines 1-12; via open reconciliation system **828 …** the workflow system **810** to resolve the variance); and

generate a report, by the computer, relating to the adjusted cost basis of the asset based on at least one of: the reallocation code, the tax treatment re-categorization and the adjusted cost basis of the asset (**para 0102**, lines 1-12; via an automated workflow system **810** … a management reporting system **838**)

Horan did not explicitly disclose to extract from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is extracted in real-time, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of

the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset, categorize at least one asset into at least one of the reallocation categories based on the extracted reallocation data, transform at least one reallocation category into at least one reallocation reason code,]

However, **DeWolf** discloses to extract from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is extracted in real-time, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset, categorize at least one asset into at least one of the reallocation categories based on the extracted reallocation data; transform at least one reallocation category into at least one reallocation reason code (**Abstract** - life cycle of the asset and categorizing the information into multiple attribute and **para 0090**, line 5; via ownership disputed

[changed] as **in divorce** [implied marriage] and **para 0035** , line 5-8; via the producer **110** [Ford] creates the asset such as **SUV**- a financial asset).

Therefore, it would have been obvious to an ordinary skill in the art at the time of invention was made to modify the disclosure and features mentioned by *Horan* and to include the disclosure of *DeWolf* to facilitate the legal system to adjust and reallocate the ownership of an asset disputed by divorce implied marriage.

Horan did not explicitly disclose to categorize, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories.

However, *Bergmann* being in the same field of invention discloses to categorizie by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories.(**para 0045,** line 27; via asset classes, creating accounts and Boxes **8A**, **8B**, **8C** and **9** categorize assets based on ownership and related tax treatment after change of ownership for tax treatment and to calculate after-tax returns)

Therefore, it was obvious to an ordinary skill in the art at the time of invention was made to modify the disclosure of *Horan* and to include the feature of *Bergman* to facilitate adjusting the constraint limits on asset classes.

Horan did not explicitly disclose [and wherein] the tax treatment re-categorization is based upon the reallocation reason code, the reallocation reasons, and the asset type and is associated with a tax treatment of the reallocation.

However, it is well known in the art at the time of invention was made that the tax treatment categorization is based upon the reallocation code, the reallocation reasons and the asset type and is associated with a tax treatment of the reallocation. (For example, when any asset's ownership is changed to a new owner, **tax treatment** of the said asset will be according to new owner as per Internal Revenue Services [**IRS, US Gov.**]).

Therefore, tax treatment of an asset related to change of ownership (or categorization) is well known in the art.

Horan did not explicitly disclose reallocation code and value.

However, *Koppelman* discloses reallocation code and value (**Abstract** and **claims** 1, 14 and 21-23; via the code for obtaining one or more allocation-for processing an allocation rule that is based on one or more properties of a business[implied value and ownership]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of invention to modify the disclosures mentioned by *Horan* to include the features as taught by *Koppelman* to facilitate to determine the commissions to pay out to a set of recipients based on one or more transactions.

As per claim 23 [currently amended], *Horan* discloses a method of <u>automated real-time computing of</u> cost basis of <u>at least one</u> asset **(automatically calculating, by the

computer, (**para 0101-0102** and **para 0077** and **0099-0100**; via workflow system **208** and accounting and management system **806** respectively) comprising:

[extracting automatically, from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is <u>extracted in real-time</u>, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset,

<u>automatically categorizing at least one asset into at least one of the reallocation categories based on the extracted reallocation data;</u>

<u>automatically transforming at least one reallocation category into at least one reallocation reason code comprises codified information relating to the reason for the change in ownership of the asset,</u>

and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset];

[automatically re-categorizing, by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment <u>re</u>-categorization of the reallocation, wherein the reallocation was <u>firstly</u> categorized by the product system into one of a plurality of <u>reallocation</u> categories];

[and wherein] the tax treatment re-categorization is based upon the reallocation reason code, the reallocation reasons, and the asset type and is associated with a tax treatment of the reallocation].;

computing automatically a real time adjusted cost basis of the asset based upon the reallocation reason code, the reallocation reasons, the asset type, and the tax treatment re- categorization;

storing the tax treatment re-categorization and the adjusted cost basis in a management system to enable tax-related calculations based upon the tax treatment re-categorization (**Fig. 7**, Data warehouse **312**);

automatically extracting, cost basis data and tax lot data from the plurality of product systems to enable automated real-time reconciliation of cost basis data and the adjusted cost basis; automatically identifying at least a portion of the tax lot data that was affected by the reallocation (**para 0099**, lines 1-3; via record system **806** .. tax-lot accounting …tax withholding and reclaim processing);

automatically reconciling, in real-time by the computer, the cost basis data and the adjusted cost basis of the asset to the plurality of product systems (**para 010**, lines 1-12; via open reconciliation system **828 …** the workflow system **810** to resolve the variance); and

generating a report, by the computer, relating to the adjusted cost basis of the asset based on at least one of: the reallocation code, the tax treatment re-categorization and the adjusted cost basis of the asset (**para 0102**, lines 1-12; via an automated workflow system **810** … a management reporting system **838**)

Horan did not explicitly disclose the step of acquiring, by a computer <u>for computing said cost basis of said at least one asset</u> and from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is <u>extracted in real-time</u>, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation value, <u>automatically categorizing at least one asset into at least one of the reallocation categories based on the extracted reallocation data; automatically transforming at least one reallocation category into at least one reallocation reason code comprises codified information relating to the reason for the change in ownership of the asset,</u> and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset.

However, *DeWolf* discloses the step of acquiring, by a computer <u>for computing said cost basis of said at least one asset</u> and from a product system a reallocation data associated with a reallocation of an ownership of the asset, wherein the asset is a financial asset, and wherein the product system is one of a plurality of product systems from which reallocation data is <u>extracted in real-time</u>, and wherein the reallocation data comprises a reallocation code, a reallocation reasons, an asset type and a reallocation

value, and wherein the reallocation value comprises information relating to the value of the change in ownership of the asset, automatically categorizing at least one asset into at least one of the reallocation categories based on the extracted reallocation data; automatically transforming at least one reallocation category into at least one reallocation reason code comprises codified information relating to the reason for the change in ownership of the asset, and wherein the reallocation of the ownership of the asset by the product system is triggered by at least one of: **a marriage**, an inheritance, a gift, a partial spin-off, a stock split with owner option, a partial sale of the asset, and a change to an accounting method for the sale of the asset (**Abstract** - life cycle of the asset and categorizing the information into multiple attribute and **para 0090**, line 5; via ownership disputed [changed] as **in divorce** [implied marriage] and **para 0035** , line 5-8; via the producer **110** [Ford] creates the asset such as **SUV**- a financial asset).

Therefore, it would have been obvious to an ordinary skill in the art at the time of invention was made to modify the disclosure and features mentioned by *Horan* and to include the disclosure of *DeWolf* to facilitate the legal system to adjust and reallocate the ownership of an asset disputed by divorce implied marriage.

Horan did not explicitly disclose the step of re-categorizing, by the computer, the reallocation code into one of a plurality of tax treatment categories to establish a tax treatment re-categorization of the reallocation, wherein the reallocation was firstly categorized by the product system into one of a plurality of reallocation categories.

However, *Bergmann* being in the same field of invention discloses the step of re-categorizing, by the computer, the reallocation code into one of a plurality of tax

treatment categories to establish a tax treatment <u>re-</u>categorization of the reallocation, wherein the reallocation was <u>firstly</u> categorized by the product system into one of a plurality of <u>reallocation</u> categories.(**para 0045,** line 27; via asset classes, creating accounts and Boxes **8A**, **8B**, **8C** and **9** categorize assets based on ownership and related tax treatment after change of ownership for tax treatment and to calculate after-tax returns)

Therefore, it was obvious to an ordinary skill in the art at the time of invention was made to modify the disclosure of **Horan** and to include the feature of **Bergman** to facilitate adjusting the constraint limits on asset classes.

Horan did not explicitly disclose [and wherein] the tax treatment <u>re-</u>categorization is based upon the reallocation reason code, the reallocation reasons, and the asset type and is associated with a tax treatment of the reallocation.

However, it is well known in the art at the time of invention was made that the tax treatment categorization is based upon the reallocation code, the reallocation reasons and the asset type and is associated with a tax treatment of the reallocation. (For example, when any asset's ownership is changed to a new owner, **tax treatment** of the said asset will be according to new owner as per Internal Revenue Services [**IRS, US Gov**.]).

Therefore, tax treatment of an asset related to change of ownership (or categorization) is well known in the art.

Horan did not explicitly disclose reallocation code and value.

However, *Koppelman* discloses reallocation code and value (**Abstract** and **claims** 1, 14 and 21-23; via the code for obtaining one or more allocation-for processing an allocation rule that is based on one or more properties of a business[implied value and ownership]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of invention to modify the disclosures mentioned by *Horan* to include the features as taught by *Koppelman* to facilitate to determine the commissions to pay out to a set of recipients based on one or more transactions.

Response to Arguments

6.   **Applicant's** arguments filed **08/04/10** have been fully considered but they are not all persuasive.

Rejection under 101 and 112 are withdrawn due to applicants' amendments to the claims and specification.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to HATEM ALI whose telephone number is (571)270-3021 and Fax (571) 270-4021 [For Cc to Examiner].   The examiner can normally be reached on 8.00 to 6.30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ALEXANDER KALINOWSKI can be reached on 571-272-6771.   The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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HATEM ALI
Examiner
Art Unit 3691

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691